

REMARKS

Claims 1 and 3-24 are pending in this application. All of the pending claims are rejected. No claims are currently amended. Reconsideration is respectfully requested.

Claims 1, 3-10, 12-15, 17, and 19-24 are rejected under 35 U.S.C. 102(e) as being anticipated by US 6,094,435 (Hoffman). With regard to claim 1, note that the first two steps, monitoring and determining, provide a foundation for the third and fourth steps which are to: set the priority for a unicast packet in response to a destination parameter; and set the priority for a multicast packet in response to a source parameter. Hoffman fails to make any distinction in priority between multicast and unicast packets, and certainly not with the distinction of destination and source parameters. With regard to setting the priority of multicast packets in response to a source parameter the Examiner cites column 16, lines 61-67 and column 17, lines 1-2 and 15-31. The cited passages read as follows:

Entries for layer 3 may include additional information. The entry may indicate that only the first 64 bytes of the packet should be sent to the processor 32 for subsequent processing. The entry may indicate whether the packet is part of a multicast routing. If so, then the output port 50i should decrement the header checksum, forward the packet to the indicated output ports 56, and indicate that the output port 56i need to replace the layer 2 source address of the packet the output port 56i's MAC address.

As stated earlier, the preferred embodiment has the forwarding memory 40 limited to storing the information used by the L2 and L3 logics that match the fields of the key to reduce the size of the forwarding memory. As such, the associated memory 42 stores additional information about the entries. Each entry in the forwarding memory 40 points to a corresponding entry in the associated memory 42, the contents of which the associated memory 42 provides to the merge logic 66 to makes [sic] its forwarding decisions.

FIG. 7 illustrates the steps occurring in the forwarding logic 52. While the FIG. 7 illustrates the preferred embodiment of the operation of the forwarding logic 52, those skilled in the art will immediately recognize other equivalent ways to accomplish the same task.

There is no statement or group of statements in the cited passages that could reasonably be interpreted as suggesting that *priority* should be set differently based on whether the packet is *unicast or multicast*, let alone the further limitation that the priority is set for a unicast packet in response to a *destination parameter*, and for a multicast packet in response to a *source parameter*. Indeed, the cited passages do not appear to be related to setting priority at all. In contradiction to the claimed limitations, Hoffman elsewhere describes setting priority by randomly discarding packets when output queues meet a threshold, and by lowering the priority of the flow that “caused the queue to overflow.” (Abstract) Therefore, Hoffman not only fails to anticipate the presently claimed invention, but actually teaches away from the claimed invention.

The distinguishing limitations discussed above are recited in the independent claims as follows. Claim 1 recites “when the type of packet traffic is unicast type, selectively modifying a priority of the traffic in response to a destination parameter of the packet traffic; and when the type of packet traffic is multicast type, selectively modifying the priority of the traffic in response to a source parameter of the packet traffic.” Claim 13 recites “modifying a priority of the packet traffic using parameter information associated with a type of packet traffic, wherein the type of packet traffic includes unicast and multicast traffic, and wherein source parameter information is used for multicast traffic and destination parameter information is used for unicast traffic.” Claim 20 recites “selectively modifying a priority of the packet traffic using parameter information associated with a type of packet traffic, wherein source parameter information is associated with multicast type packet traffic and destination parameter information is associated

with unicast type packet traffic.” Withdrawal of the rejections of claims 1, 13 and 20 is therefore requested.

Dependent claims 3-12, 14-19, and 21-24 further define the invention, and are allowable for the same reasons as their respective base claims. Note, for example, that claims 3, 4, 7 and 8 recite specific source and destination parameters in response to which priority is set. The passages cited by the Examiner in support of the rejections of those claims are no more relevant than the passages cited in support of the independent claims. For example, the Examiner cites column 11, lines 19-25 and 44-47 in support of the rejection of claim 3, which recites that source parameter includes a MAC address. However, the cited passages merely describe use of a MAC address in normal forwarding decisions, e.g., table lookups and output port identification. No suggestion is made of *setting priority in response to the source MAC address*. Similarly, claim 4 recites that the source parameter includes a source VLAN, and the passages cited by the Examiner (column 9, lines 27-33 and column 11, lines 47-54) merely describe use of a VLAN ID in normal forwarding decisions, e.g., table lookups and output port identification. The Examiner cannot reasonably maintain that the mere existence of MAC addresses and VLAN IDs anticipates any and all uses of that information. Withdrawal of the rejections of claims 3-12, 14-19, and 21-24 is requested.

Claims 11, 16 and 18 are rejected under 35 U.S.C. 103(a) based on Hoffman in view of US 6,611,867 B1 (Bowman-Amuah). These dependent claims distinguish the cited combination for the same reasons as their respective base claims, i.e., setting the priority for a unicast packet in response to a destination parameter, and setting the priority for a multicast packet in response to a source parameter. Withdrawal of the rejections of claims 11, 16 and 18 is therefore requested.

Conclusion

For the reasons stated above, this application is now considered to be in condition for allowance and such action is earnestly solicited. Should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Applicants' Attorney at the number listed below so that such issues may be resolved as expeditiously as possible.

Respectfully Submitted,

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Date

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